

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No. 16-2717 (DSD/FLN)

Fredrick Jackson,

Plaintiff,

v.

ORDER

Warden Michelle Smith, et al,

Defendant.

Based upon the report and recommendation by United States Magistrate Judge Franklin L. Noel dated August 3, 2018, all the files and records, and no objections having been filed to said report and recommendation, **IT IS HEREBY ORDERED** that:

1. The petition under 28 U.S.C. § 2254 for writ of habeas corpus for a person in state custody [ECF No. 1] is denied;

2. This matter is dismissed with prejudice; and

3. It is further ordered, pursuant to 28 U.S.C. § 2254(c), that a certificate of appealability shall not be issued because petitioner has failed to make a substantial showing of the denial of any constitutional right.

LET JUDGMENT BE ENTERED ACCORDINGLY.

DATED: August 28, 2018

/s David S. Doty

David S. Doty, Judge
United States District Court